

## REMARKS

Claims 33-76 are pending in the application. Claims 33-76 are rejected.

Claims 40 and 70 have been amended to dependent form. Claim 77 has been newly added.

Applicant has amended to claims to clarify the present invention. The amendments are supported by the specification. No new matter is entered.

For example claim 34 includes a receiving unit for receiving a plurality of downlink signals from a plurality of base stations in a soft handoff mode with the mobile station, and a controller for determining a window of time for receiving downlink signals from the plurality of base stations, said controller determining the window of time based upon the determined timing for sending an uplink signal.

Applicant's specification describes in an example embodiment determining a watching period (Fig. 5) and determining the transmission power control (page 26, line 20- page 27, line 8)

Other embodiments are also described in the specification, for example see page 33, lines 22-37.

Claims 33-36,39,44,47,49,61-76 are rejected under 35 U.S.C. 102(b) as being anticipated by Nakano et al. (Nakano). Claims 38,40-43,45,46,48,50-60 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakano in view of Blakeney, II et al (5267261) (Blakeney).

The Office Action states Nakano doesn't explicitly teach that received signals are from a plurality of base stations in the mobile station system. Blakeney teaches that a mobile station receives signals that are from a plurality of base stations in the mobile station system (figure 1).

There is no teaching or suggestion of claim 33 features including

a controller for determining a window of time for receiving downlink signals from the plurality of base stations, said controller determining the window of time based upon the determined timing for sending an uplink signal, wherein

said controller controlling processing of downlink signals from the plurality of base stations such that only downlink signals having a receive timing during the window of time will be processed to affect an uplink signal.

Also applicant's claim 34 includes: controlling the transmission of an uplink signal based upon only downlink signals from the plurality of base stations having a receive timing during the window of time.

The Office Action asserts Nakano discloses a timing unit for timing a sending of a transmit power control data to be included in an uplink signal at figure 7, item 61, column 7, lines 34-36, column 10, lines 17-23 of Nakano.

However nowhere does Nakano teach determining the window of time based upon a received downlink signal timing.

Nakano describes measuring a BER over a "prescribed period of time" (col. 7)

Nakano does not teach the timing of the prescribed period of time only that it is set "longer than a transmission power control interval" (col. 8, lines 20-23).

In contrast applicant claims determining a window of time for receiving downlink signals from the plurality of base stations, said controller determining the window of time based upon the determined timing for sending an uplink signal.

#### Claim 35

Applicant's claim 35 includes window of time ends prior to the next uplink signal to allow for a processing time required to generate the transmit power control for controlling the transmit power of a next uplink signal.

In applicant's claim 55 the Office Action stated Nakano col. 7:2-11 teaches controlling the transmit power of the uplink based on control information included in a specific radio wave reached during a preceding period.

However Nakano only describes

“an output of the demodulator 49 is supplied to a mobile station transmission power control data reading unit 51. At this mobile station transmission power control data reading unit 51, the mobile station transmission power control data transmitted from the base station is read out from the received signals and supplied to an amplifier 67, while data signals contained in the received signals are sent to a terminal device 71. Here, the mobile station transmission power control data is assumed to be transmitted along with the data signals, but it is also possible to transmit the mobile station transmission power control data and the data signals in separate channels.” (emphasis added)

#### Claim 49

The Office Action asserts Nakano discloses at col. 7, line 44-50, column 8, line 1-25 the features described in applicant's recited claim 49. However in reviewing the reference Nakano, no description could be found of the recited features.

For example applicant claims said period given in advance is a subset of each period ....

Contrary to applicant's claimed invention, Nakano, col. 9, lines 21-24 describes the BER is measured for a period of time longer than a transmission power control interval. Col.10: 20-23, Nakano only describes the periodical measurement results of a number of reception paths and

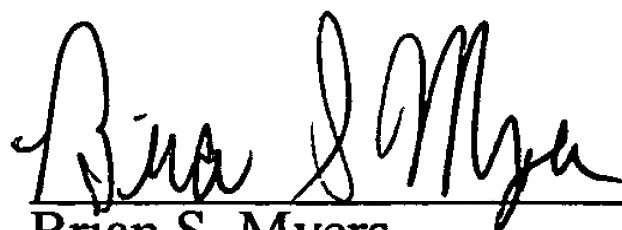
fading pitch for each radio channel with regard to the reception CIR for each radio channel but fails to describe said period given in advance is given as a subset of each period.

Although the claims contain varying limitations compared to the above argued claims, they contain at least the distinguishing features from the Nakano reference of determining a window of time or a period of time as described in each respective claim. The reference Blakeney describes a plurality of base stations in a mobile system but likewise fails to teach the above distinguishing features. Therefore neither reference and in combination teach or suggest at least the above distinguishing features and these claims should likewise be allowed for at least the above reasons.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,

  
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